

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

February 28, 2022

BY ECF

Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Nazeer Vickers
18 Cr. 530 (LGS)**

Honorable Judge Schofield:

I write on behalf of my client, Nazeer Vickers, an inmate at the MDC who is currently awaiting sentencing. Mr. Vickers' father, Johnnie Vickers, Jr., passed away on Thursday, February 17, 2022. Mr. Vickers respectfully requests a temporary release to attend his father's funeral, on Friday March 4, 2022.

The memorial services for Johnnie Vickers, Jr. are scheduled for 9:30 AM at Christian Culture Center located at 12020 Flatlands Avenue, Brooklyn, NY. Immediately following the services, interment will take place at Montefiore Springfield Cemetery, 121-83 Springfield Blvd., Springfield Gardens, NY. (Exhibit A)

Mr. Vickers is distraught over the loss of his father and would like the opportunity to be with his family for this memorial service, and to pay his final respects. Mr. Vickers respectfully requests to be released on temporary bail on with conditions including that a member of his family sign an appearance bond, accompany Mr. Vickers to the service, and return Mr. Vickers to custody immediately after the funeral services on Friday, March 4th. *See, e.g., United States Roosevelt Summers, 09 Cr. 807 (DLC) (S.D.N.Y. Jan. 9, 2010) (Exhibit B)* (granting temporary bail for detained defendant to attend funeral)

Alternatively, I respectfully request that Your Honor order Mr. Vickers released to the custody of the Federal Defenders so that he may attend his father's funeral service in our custody. *See, e.g., United States v. Benjamin Tirado, 17 Cr. 668 (GHW) (S.D.N.Y. Dec 6, 2017) (Exhibit C)* (granting temporary bail for detained defendant to attend memorial service in the custody of his counsel and to surrender following the service). Should the Court grant this request, the Federal Defenders will arrange for Mr. Vickers' transportation to and from the services. He would be accompanied by either a paralegal, lawyer, social worker, investigator, or litigation support specialist from our office to and from the funeral.

Alternatively, this Court may order the United States Marshal Service to take Mr. Vickers to the memorial service in their custody. *See, e.g., United States v. Roman Firpo*, 11 Cr. 247 (RWS) (S.D.N.Y. Feb. 9, 2012) (Exhibit D) (granting request for take-out order directing United States Marshals to accompany detained individual to funeral). In the past, however, the United States Marshal Service has objected to such a request. Therefore, we believe the Court should instead grant temporary release as discussed above.

I have conferred with Assistant United States Attorney Mollie Bracewell, who, on behalf of the Government, objects to Mr. Vickers' temporary release, but takes no position on his attendance in the Marshal's custody.

Respectfully submitted,

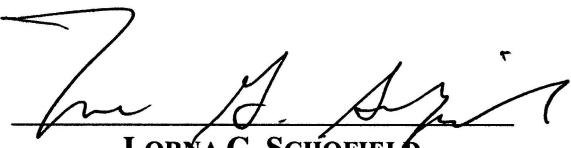


Christopher A. Flood
Assistant Federal Defender
Tel.: (212) 417-8734

cc: Mollie Bracewell, AUSA (by ECF)

The Court is inclined to grant this application subject to the parties conferring and agreeing upon temporary bail terms that include a member of Defendant's family signing an appearance bond and Defense counsel accompanying Defendant from the time of his release until his surrender into BOP custody on March 4, 2022. By **2:00 pm on March 1, 2022**, the parties shall provide a proposed order granting Defendant's temporary release subject to fulfilling the parties agreed upon conditions. The Clerk of the Court is directed to terminate the letter motion at docket number 78.

Dated: February 28, 2022
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

EXHIBIT A

From: [Anna Finkel](#)
To: [Christopher A Flood](#)
Subject: Fwd: Information on funeral
Date: Thursday, February 24, 2022 9:30:16 AM

See below for details on funeral.

Anna Finkel, Chief Investigator
Federal Defenders of New York, Inc.
52 Duane St., 10th Fl, New York, NY 10007
[REDACTED]
[REDACTED]

From: Tonyé-D'mitria Vickers [REDACTED] >
Sent: Thursday, February 24, 2022 9:10:19 AM
To: [REDACTED]
Subject: Information on funeral

The Celebration of Life Services will be as follows:

Date: Friday, March 4, 2022

Place: Christian Culture Center
12020 Flatlands Ave
Brooklyn, NY 11207

Viewing: 9:30AM-10:30AM

Service begins at 11AM

Interment: Montefiore Springfield Cemetery
121-83 Springfield Blvd
Springfield Gardens, NY 11413
(Will be immediately following service)

Repass will be held at PJ's House



Tonye-D'mitria Vickers

[REDACTED]

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
UNITED STATES OF AMERICA :
- v. - : ORDER GRANTING
ROOSEVELT SUMMERS, : TEMPORARY BAIL
: 09 Cr. 807 (DLC)
: Defendant.
: x

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1-29-10

It is hereby ORDERED that the United States Marshals Service ("USMS") release ROOSEVELT SUMMERS, the defendant, for a one-day release on bail on Saturday, January 30, 2010, no later than 11:00 a.m. to attend the funeral of SUMMERS' partner, Sharon McIver, upon the following conditions. One financially responsible cosigner must sign a \$10,000 bond prior to January 30, 2010. SUMMERS is to be released by the USMS to the custody of an employee of the Federal Defenders of New York, Inc. SUMMERS is to return and surrender to the USMS the same day, no later than 4:00 p.m.

Sharon McIver's public viewing will be held at Owens Funeral Home Chapel, 216 Lenox Avenue, New York, NY 10027, Telephone: (212) 427-7888, on Saturday, January 30, 2010. SUMMERS is currently incarcerated at the Metropolitan Correctional Center and is assigned Register Number 62589-054.

Dated: January 29, 2010
New York, New York


HONORABLE DENISE L. COTE
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

EXHIBIT C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/6/2017

UNITED STATES,

-V-

1:17-cr-668-GHW

BENJAMIN TIRADO,

ORDER

Defendant.

- x

GREGORY H. WOODS, United States District Judge:

On December 6, 2017, the defendant made an application for temporary bail to attend the funeral of his father on December 7, 2017. After conferring with the United States Marshal Service (USMS), it is ORDERED that the defendant's application for temporary bail is granted. The defendant will be temporarily released and placed into the custody of the Federal Defenders at 3:00 p.m. on December 7, 2017. The defendant is ordered to surrender himself to the custody of the Bureau of Prisons at the Metropolitan Correctional Center 150 Park Row New York, New York 10007 no later than 8:00 p.m. on the same day. This order replaces the Court's order issued earlier today on this topic. That order is void.

SO ORDERED.

Dated: December 6, 2017
New York, New York

GREGORY H. WOODS
United States District Judge

EXHIBIT D

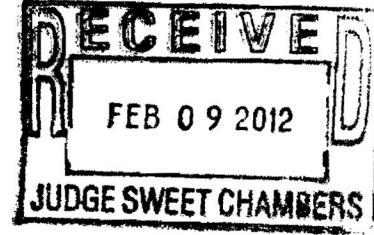
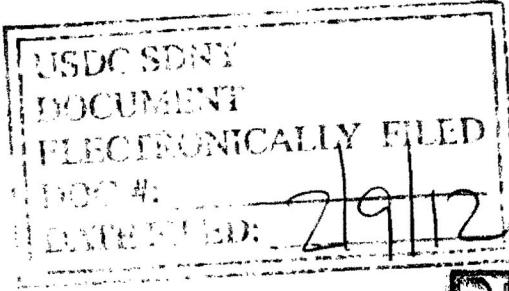
Federal Defenders OF NEW YORK, INC.

David E. Patton
Executive Director

Southern District
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February 9, 2012
BY FAX

Honorable Robert W. Sweet
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: United States v. Roman Firpo
11 Cr. 247 (RWS)

Dear Judge Sweet:

I represent Mr. Firpo in the above-captioned case. I write at this time because we just learned that Mr. Firpo's mother, Mrs. Griselda Lopez Contrera passed away, and that the funeral is scheduled for tomorrow. We request a take-out order, so Mr. Firpo can attend the funeral in the custody of the United States Marshal Service.

The arrangements are as follows:

Ortiz Funeral Home
4425 Broadway
Friday, February 10
3pm - 8pm.

The government opposes this request, and has represented that the Marshal service "strenuously" opposes it.

*So ordered
Sweet USDI
2-9-12*

cc: Kan Nawaday, Esq.
Assistant United States Attorney (via email)

Respectfully submitted,

Christopher Flood
Assistant Federal Defender
Tel.: (212) 417-8772